

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS (Eastern Division)**

**DIRECTV, Inc.**

Plaintiff,

vs.

**Richard Mello**

Defendant

) Case No.: **03cv12335 GAO**

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**PLAINTIFF'S REQUEST  
FOR ENTRY OF DEFAULT**

Plaintiff, DIRECTV, Inc ("DIRECTV"), by and through its undersigned attorney, pursuant to provisions of Rule 55 of the Federal Rules of Civil Procedure, hereby requests the Clerk of this United States District Court to enter a notice of default against defendant, **Richard Mello**, for his failure to effectuate the settlement terms in the action brought by DIRECTV as appears from the attached affidavit.

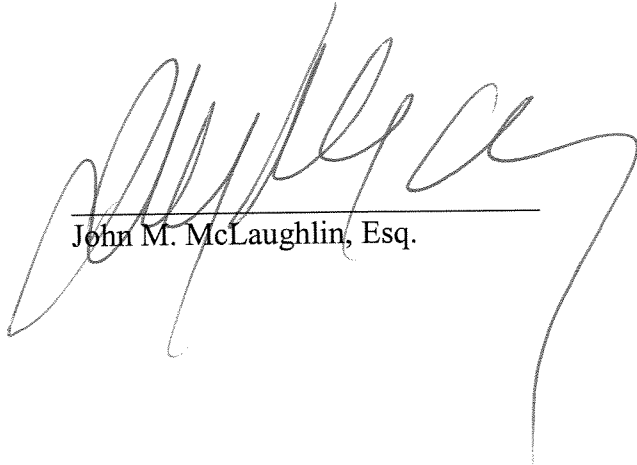
5/17/04  
Date

  
\_\_\_\_\_  
John M. McLaughlin (BBO: 556328)  
**MCLAUGHLIN SACKS, LLC**  
31 Trumbull Road  
Northampton, MA 01060  
(413) 586-0865

**CERTIFICATE OF SERVICE**

I, John M. McLaughlin, attorney for the Plaintiff, hereby certify that on the 2 day of May, 2003, a copy of the foregoing Request for the Entry of Default, the Affidavit in Support thereof and a proposed order were mailed first class to:

Richard Mello  
1012 Slade St.  
Fall River, MA

  
\_\_\_\_\_  
John M. McLaughlin, Esq.

**UNITED STATES DISTRICT COURT  
DISTRICT OF MASSACHUSETTS (Eastern Division)**

<b>DIRECTV, Inc.</b>	)	Case No.: <b>03cv12335 GAO</b>
	)	
Plaintiff	)	<b>AFFIDAVIT OF ATTORNEY FOR</b>
	)	<b>PLAINTIFF'S REQUEST FOR DEFAULT</b>
vs.	)	
	)	
<b>Richard Mello</b>	)	
	)	
Defendant	)	

Now comes John M. McLaughlin, Attorney for the Plaintiff in the above-entitled action, and, on oath, states the following:

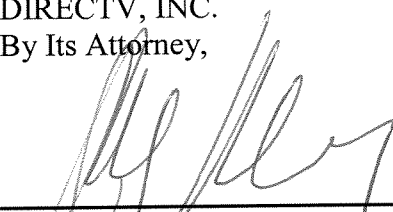
1. On November 20, 2003, the Plaintiff filed a Complaint against the Defendant, **Richard Mello**, in United States District Court, alleging violations of 47 U.S.C. § 605 and violations of 18 U.S.C § 2511.
2. On February 10, 2004, the said Defendant was served by leaving the pertinent documentation at the **last and usual** place of abode of the Defendant by a person who is not a party to this action (see copy of Return of Service marked **Exhibit A**, attached hereto, and made a part hereof).
3. On or about February 26, 2004, Plaintiff's counsel reached verbal settlement with the Defendant.
4. On or about February 26, 2004 Plaintiff's counsel sent out settlement documentation to the Defendant.
5. To date, the Defendant has failed and neglected to effectuate the terms of the settlement set forth.

6. I have filed herewith a Request for Entry of Default, seeking that a Notice of Default be entered by this Court.
7. I have also filed herewith Form of Order entitled Notice of Default, for the Court's use if it shall determine that the said Defendant is in default.

Subscribed and sworn to, under the pains and penalties of perjury.

Respectfully Submitted for the Plaintiff,  
DIRECTV, INC.  
By Its Attorney,

  
Date

  
\_\_\_\_\_  
John M. McLaughlin (BBO: 556328)  
MCLAUGHLIN SACKS, LLC  
31 Trumbull Road  
Northampton, MA 01060  
(413) 586-0865

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**ORDER FOR NOTICE OF REQUEST  
FOR DEFAULT**

Upon requests of the Plaintiff for an order of default for failure of the Defendant to plead or otherwise defend, as provided by Rule 55(a) of the Federal Rules of Civil Procedure, notice is hereby given that the Defendant has been DEFAULTED this \_\_\_\_\_ day of \_\_\_\_\_, \_\_\_\_\_.

BY THE COURT

\_\_\_\_\_  
Deputy Clerk



**Bristol County Deputy Sheriffs' Office • P.O. Box 8928 • New Bedford, MA 02742-0928 • (508) 992-6631**  
**Bristol, ss.**

February 10, 2004

I hereby certify and return that on 2/10/2004 at 08:56 am I served a true and attested copy of the Summons and Complaint, CA Cover Sheet, Corporate Disclosure, Case Cover Sheet in this action in the following manner: To wit, by leaving at the last and usual place of abode of Richard Mello, 1012 Slade Street Fall River, MA and by mailing first class mail to the above-mentioned address on 2/10/2004. Copies (\$4.00), Conveyance (\$1.50), Travel (\$22.40), Basic Service Fee (\$20.00), Postage and Handling (\$3.25), Attest Fee (\$10.00) Total Charges \$61.15 Left with an adult male, Joseph Mello, known to be the father.

*Dennis Medeiros*  
 Deputy Sheriff

Deputy Sheriff Dennis Medeiros

☐ Returned unexecuted: \_\_\_\_\_

☐ Other (specify): \_\_\_\_\_

#### STATEMENT OF SERVICE FEES

TRAVEL	SERVICES	TOTAL
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#### DECLARATION OF SERVER

I declare under penalty of perjury under the laws of the United States of America that the foregoing information contained in the Return of Service and Statement of Service Fees is true and correct.

Executed on \_\_\_\_\_

Date

Signature of Server

Address of Server

(1) As to who may serve a summons see Rule 4 of the Federal Rules of Civil Procedure.

*Joseph Mello*